

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

In re Application of:

Sherman, et al.

Serial No.: 10/806,840

Art Unit: 3764

Filed: March 22, 2004

For: Modular CPR Assist
Device

Examiner: DeMille, Danton D.

REQUEST FOR RECONSIDERATION OF PETITION UNDER 37 CFR 1.183

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby request reconsideration of the Decision on Petition dated April 16, 2008, denying Applicants' previous petition addressing the refusal of a joint inventor to execute a declaration. Mr. Sherman was actually given the opportunity to re-execute the oath or declaration but refused.

Certificate of transmission under 37 CFR 1.8

I hereby certify that this response (along with any paper referred to as being attached or enclosed) is being transmitted to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

FILED VIA EFS
Date: April 25, 2008

/K. David Crockett/
K. David Crockett, Esq., 34311

As stated in the original petition, applicants' attorneys attempted numerous times to reach inventor Darren R. Sherman. Ultimately, on January 18, 2008, Darren R. Sherman spoke with K. David Crockett of Crockett & Crockett. Mr. Sherman told Mr. Crockett that he refuses to re-execute the declaration in the present application.

The Petition was dismissed because Mr. Sherman's residence was not set forth in the supporting declaration. A new declaration is provided setting forth Mr. Sherman's residence address.

Payment of Fees

It is believed no further fee is due for this Petition. Nonetheless, the Commissioner is hereby authorized to charge payment of any additional fees associated with this communication, or credit any overpayment, to Deposit Account 03-3700.

Date: April 25, 2008

By: /K. David Crockett/
K. David Crockett, Esq.
Reg. No. 34311

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DECLARATION OF K. DAVID CROCKETT IN SUPPORT OF PETITION TO
SUSPEND RULES UNDER 37 CFR 1.183

I, K. David Crockett, hereby declare:

1. I am currently a partner at Crockett & Crockett. I currently represent Applicants before the USPTO in matters regarding this application.

2. On January 18, 2008, I spoke with Mr. Sherman and he told me that he refuses to sign the required declaration.

3. The last known address of the nonsigning inventor is 1216 Southeast 5th Court, Fort Lauderdale, FL 33301-3008.

Date: April 25, 2008

By: /K. David Crockett/
K. David Crockett, Esq.
Reg. No. 34311